

The Corporation of the City of Burlington

City of Burlington By-law XX-2024

A by-law to amend By-law 71-2023, A by-law to delegate approvals to staff
File: XXX-XX (CL-23-24)

Whereas sections 8, 9 and 11 of the *Municipal Act, S. O. 2001, c. 25*, as amended (the "*Municipal Act, 2001*"), authorize The Corporation of the City of Burlington (the "City") to pass by-laws necessary or desirable for municipal purposes, and in particular, subsection 23.1 specifies that sections 9 and 11 authorize the City to delegate its powers or duties under the *Municipal Act, 2001* or any other Act to City staff, subjects to certain restrictions; and

Whereas Council of The Corporation of the City of Burlington passed By-Law 71-2023 being the Delegated Authority By-law delegating certain approvals to staff; and

Whereas it is deemed necessary to amend Schedule D of the Delegated Authority By-law to address agreements related to exemption of development charges and other approved fees for affordable residential units (rental and ownership) and to secure obligations in respect of those exemptions; and

Whereas it is deemed advisable to amend Schedule F of the Delegated Authority By-law to address to confirm authority for the registration of charges/mortgages on title to real property in the City's capacity as chargee/mortgagee; and

Whereas it is deemed necessary to amend By-law 71-2023 and its schedules to update staff position titles to reflect City of Burlington organizational restructuring; and

Now therefore the Council of The Corporation of the City of Burlington hereby enacts as follows:

1. That Schedule D to By-law No. 71-2023, Financial Management, be amended by adding the following new heading and section 26 immediately following section 25:

	Affordable Housing Agreements		
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26.	Approve and execute agreements required to exempt affordable residential housing units (rental and owned) from payment of development charges and community benefits charges, and from parkland dedication requirements and to secure obligations in respect of those exemptions.	Chief Financial Officer, or delegate	<p>With content satisfactory to the Chief Financial Officer and in a form satisfactory to the City Solicitor.</p> <p>Delegation of authority to enter into agreements required to exempt development charges and/or other development related fees may be exercised where such exemptions are required pursuant to the <i>Development Charges Act</i> or <i>Planning Act</i>.</p> <p>Delegation of authority includes authority to approve security by way of collateral mortgage in favour of the City and/or restriction under section 118 of the <i>Land Titles Act</i>, with content satisfactory to the Chief Financial Officer and in a form satisfactory to the City Solicitor.</p>
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2. That Schedule F to By-law No. 71-2023, Legal Services and Real Estate, be amended by adding the following new section immediately following section 17, and that all subsequent sections in Schedule F be renumbered accordingly:

<p>18.</p>	<p>In the City's capacity as chargee/mortgagee, take all steps necessary to effect the registration of a charge/mortgage on title to real property.</p>	<p>Commissioner, Legal and Legislative Services/City Solicitor or delegate.</p>	<p>Substantive provisions of loan being secured by the charge/mortgage, including but not limited to principal, interest rate, payment and due dates, and any additional loan provisions shall be to the satisfaction of the Chief Financial Officer or delegate.</p> <p>Registration of charge/mortgage pursuant to this paragraph is subject to prior approval of loan or other amount being secured by Council, or under delegated authority.</p>
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3. That By-law No. 71-2023 be amended to delete the positions listed in column 1 below wherever they appear and replace them with positions in column 2 as follows:

Column 1: Current position titles in By-law 71-2023	Column 2: To be replaced by the following:
City Manager	Chief Administrative Officer
Executive Director of Information Technology	Chief Information Officer
Executive Director of Legal Services and Corporation Council	Commissioner, Legal and Legislative Services/City Solicitor
City Solicitor	Commissioner, Legal and Legislative Services/City Solicitor
Executive Director	Commissioner
Executive Director & Chief Financial Officer	Chief Financial Officer
Executive Director EICS	Commissioner, Public Works
Executive Director of Human Resources	Chief Human Resources Officer
Executive Director of Strategy, Risk and Accountability	Chief Transformation Officer

4. Subject to the amendments made in this By-law, in all other respects, By-law 71-2023 is hereby confirmed and remains unchanged.
5. This By-law comes into force on the date of its passing.

Passed this 15th day, of October, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____